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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,021	06/26/2001	Douglas P. Bogia	42390P10211	3409

7590 05/12/2005

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
Seventh Floor  
12400 Wilshire Boulevard  
Los Angeles, CA 90025-1026

EXAMINER

JAROENCHONWANIT, BUNJOB

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 05/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/893,021

Applicant(s)

BOGIA, DOUGLAS P.

Examiner

Bunjoo Jaroenchonwanit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,4-7,11,12,17-20,29 and 30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,4-7,11,12,17-20,29 and 30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. In response to the amendment and declaration filed 4/6/05. Claims 1, 4-7, 11-12, 17-18, 22, 24, 29 and 30 are pending for examination. The declaration filed on 4/4/05 under 37 CFR 1.131 is sufficient to overcome the Matsuo (US2002/00016955) reference. The previous rejection is withdrawn. In light of newfound reference, the new ground of rejections cited are as stated below.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1, 4-7, 11-12, 17-20 and 29-30 are rejected under 35 U.S.C. 102(e) as being anticipated by the Publication of the Japanese Patent Application (JP 2000-0197377) by Matsuo, hereinafter refereed to as “Matsuo-JP”. [Matsuo-JP’s citations are illustrated by the English equivalent version, which is US 20020016955 A1, by Matsuo, Hereafter “Matsuo-US”. The Matsuo-US is previously cited and applied for claims’ rejection.]

4. Regarding claims 1, 11 and 29, Masterson-JP discloses, a method, apparatus and program for, configuring an appliance comprising: sending an electronic data file containing configuration information to the appliance; and automatically configuring the appliance in response to receiving the electronic data file (Matsuo-US, paragraph 99).

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5. Regarding claims 4-5, 12, 18-20 and 30, Matsuo-JP discloses the electronic data file is embedded in an email, but silent to encrypting and decrypting the electronic data file. Official Notice is taken (see MPEP 2144.03) a-mail encryption/decryption was well known standard in the art at the time of the invention was made, which was designed for strengthening privacy, security and integrity of electronic data communication over open network environment. Thus, including the well-known standard to encrypting and decrypting configuration information would have been obvious to one of ordinary skill in the art at the time of the invention was made, because it would prevent one to tamper with the configuration file, thereby increasing security in data communication network.

6. Regarding claims 6-7, 17 Matsuo-JP discloses the invention substantially, but silent to authenticate email, confirmation email. Official Notice is taken that email authentication and confirmation was well known email, standard protocol. They have been included as standard exchange, etc. The known standard feature has been utilized for e-mail client regardless of type if install such software would be able to acknowledge confirm and/or authenticate themselves. Thus, inclusion such standard features would have been obvious to one of ordinary skill in the art to do so, because it would enable the system to network communication integrity, privacy and reliability of data of reaching destination.

7. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bunjob Jaroenchonwanit whose telephone number is (571) 272-3913. The examiner can normally be reached on 8:00-17:00. If attempts to reach the examiner

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by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Bunjob Jaroenchonwanit', is written over a horizontal line.

Bunjob Jaroenchonwanit  
Primary Examiner  
Art Unit 2143

/bj  
12/17/04